



*The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Division of Health Care Finance and Policy
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NOTICE OF PUBLIC HEARING

Pursuant to the provisions of M.G.L. c.118G and in accordance with M.G.L. c. 30A, as amended, a public hearing will be held on Wednesday, December 2, 2009 at 10.00 AM. at the Division of Health Care Finance and Policy ("Division"), Two Boylston Street, 5th floor, Boston, MA relative to the adoption of amendments to:

114.3 CMR 17.00: Medicine

The amendments add the CPT code 90470 for the administration of the H1N1 influenza vaccine and allow eligible pharmacies and home health providers to administer the vaccine. The rate for the administration of the 2009 H1N1 vaccine is \$13.76 for all providers and for all means of vaccine administration. The amendments modify the descriptions for the EPDT add-on code S0302 and state supplied vaccines to be consistent with MassHealth regulations. The amendments also include a provision to allow the Division to issue Administrative Bulletins to establish fees for the administration of vaccines whenever the Department of Public Health issues an Order pursuant to M.G.L. c. 94C and 105 CMR 700.003(H) concerning DPH's ability to designate health care professionals who may administer the vaccine. Finally, the amendments incorporate coding changes originally implemented in informational bulletins on September 3, 2009.

The Division adopted the amendments as an emergency effective October 19, 2009 to allow eligible providers to begin administering the flu vaccines in a timely manner to prevent or ameliorate a flu epidemic. It is estimated that aggregate annual MassHealth expenditures for medicine services will increase by \$4.2 million.

Interested parties are encouraged to submit comments on these amendments. All persons desiring to be heard on this matter are hereby notified to appear at the designated time and place. Persons intending to speak will be afforded an early opportunity to testify if the Division receives notice by 5:00 P.M. on Tuesday, December 1, 2009. All others will be heard subsequently. Written comments may be sent to the Division at Two Boylston Street, 5th floor, Boston, MA 02116.

Copies of the regulation are available for inspection and/or purchase at the Division, Two Boylston Street, 5th floor, Boston, MA 02116 or you can access them free of charge in the Regulations section of the Division's web site located at www.mass.gov/dhcfp.